SCHOOLWIDE TITLE I PROGRAMS

Since 1994, schoolwide programs have taken center stage as the primary means of effective school reform. Over the years, schoolwide eligibility was increasingly broadened by reducing the poverty threshold for eligibility from 75 percent low-9income students to 50 percent, thereby making the schoolwide option available to many more schools. While the schoolwide concept has existed for many years, important fiscal flexibility was added for the first time in 1994 by permitting schools to combine federal, state and local funds to upgrade the entire educational program. Schoolwide programs were not required to meet the substantive rules of federal programs included in the schoolwide plan but simply to meet the "intents and purposes" of those programs.

Consequently, the number of schoolwide programs quadrupled in the next four years. By school year 2001-02, schoolwide had become the dominant model and remains so today. But some states, LEAs and schools were reluctant to take full advantage of the opportunities offered by the schoolwide option. The 1994 statue and accompanying relegations provided programmatic director but limited information on the extent of the new fiscal flexibility and accountability requirements. The nonregulatory guidance that was available during the IASA and early NCLB years provided much detail on the parameters of programmatic flexibility but limited guidance on fiscal issues. Often still smarting from adverse audit findings on technical "record-keeping" issues, state and local administrators held onto the older, safer notions of targeting services to identified Title I students and tracking federal funds to an expense allowable under the program.

Recognizing that lack of guidance was inhibiting full use of the flexibilities of schoolwide programs, ED has worked to clarify and resolve schoolwide issues, allowing for the first time a reasonably comprehensive explanation of both programmatic and fiscal aspects of this program model.

A. LEGAL AUTHORITIES AND RESOURCES

Section 1114 of the Title I statute describes the legal foundation of the schoolwide program model. ED has also promulgated detailed regulations on schoolwide programs, which can be found at 34 CFR §§ 200.25-200.29. A notice published in the Federal Register in 2004 identifies the specific federal education programs that may be combined into a schoolwide program and describes the extent of flexibility enjoyed in such a program.

In addition to the statutory and regulatory authorities, administrators should closely review the nonregulatory guidance on schoolwide programs. In March 2006, ED issued programmatic guidance entitled "Designing Schoolwide Programs Guidance." In February 2008, the

department issued wide ranging fiscal guidance entitle "Title I Fiscal Issues," which described (among other topics) the theory and mechanics behind the combining of funds in a schoolwide program and the extent of corresponding fiscal flexibility.

B. SCHOOL ELIGIBILITY

To be eligible to operate a schoolwide program, a school must be selected by the LEA as a participating school or as serving a participating pubic school attendance area under §1113 of Title I.

In addition, the school must meet the required poverty threshold of 40 percent. This means that the school must serve an eligible school attendance area where at least 40 percent of the children are from low-income families. As an alternative to counting families that *reside* in the relevant attendance area, an LEA may also deem a school eligible if at least 40 percent of the children *enrolled* in the schools are from low-income families.

In determining schoolwide eligibility, an LEA may use any of the five poverty measure authorized by the statute: census counts of low-income children; the number of children eligible for free and reduced price lunch; the number of children eligible for Medicaid; the number of children in families receiving Temporary Assistance for Ne4edy Families (TANF); or a composite of these measures. For the purpose of determining schoolwide eligibility, the regulations permit the LEA to sue a different measure of poverty than it sues for purposes of ranking and serving schools under §1113.

If a school initially meets the poverty threshold but falls below it in a subsequent year, it maintains its schoolwide program eligibility. (However, if the school loses it Title I eligibility, the school can no longe4r participate in Title I. (regardless of whether it is a schoolwide program or not.)